



Reprinted
February 23, 2005

SENATE BILL No. 411

DIGEST OF SB 411 (Updated February 22, 2005 4:37 pm - DI 110)

Citations Affected: IC 24-4.

Synopsis: Warranties on home appliances. Prohibits a person that sells a warranty for the repair or replacement of a home appliance from requiring the purchaser of the warranty to pay for any of the costs of the repair or replacement of the appliance.

Effective: July 1, 2005.

Server

January 13, 2005, read first time and referred to Committee on Commerce and Transportation.
February 17, 2005, reported favorably — Do Pass.
February 22, 2005, read second time, amended, ordered engrossed.

C
o
p
y

SB 411—LS 7910/DI 110+



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 411

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 24-4-14 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]:
4 **Chapter 14. Warranties on Home Appliances**
5 **Sec. 1. As used in this chapter:**
6 (a) "Appliance" means a device or an instrument designed to
7 perform a specific function.
8 (b) "Extended warranty" means a written warranty offered by
9 a manufacturer, a dealer, or a retailer of an appliance that:
10 (1) covers the appliance offered for sale or sold by the
11 manufacturer, the distributor, the dealer, or the retailer; and
12 (2) includes terms or conditions beyond the terms or
13 conditions offered in a warranty included as part of the
14 contract in the initial sale or lease of the appliance.
15 **Sec. 2. (a) This section does not apply to:**
16 (1) a warranty that is provided as part of the contract in the
17 initial sale or lease of an appliance; or

SB 411—LS 7910/DI 110+



C
o
p
y

- 1 (2) an extended warranty.
2 (b) If a person sells a warranty for the repair or replacement of
3 an appliance that is used within a residential dwelling, the person
4 may not require the purchaser of the warranty to pay for any of
5 the costs of the repair or replacement of the appliance.

**C
o
p
y**



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred Senate Bill No. 411, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 411 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 10, Nays 0.

**C
o
p
y**



SENATE MOTION

Madam President: I move that Senate Bill 411 be amended to read as follows:

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"Sec. 1. As used in this chapter:

(a) "Appliance" means a device or an instrument designed to perform a specific function.

(b) "Extended warranty" means a written warranty offered by a manufacturer, a dealer, or a retailer of an appliance that:

(1) covers the appliance offered for sale or sold by the manufacturer, the distributor, the dealer, or the retailer; and

(2) includes terms or conditions beyond the terms or conditions offered in a warranty included as part of the contract in the initial sale or lease of the appliance."

Page 1, line 5, delete "1." and insert **"2. (a) This section does not apply to:**

(1) a warranty that is provided as part of the contract in the initial sale or lease of an appliance; or

(2) an extended warranty.

(b)".

(Reference is to SB 411 as printed February 18, 2005.)

SERVER

C
o
p
y

